

**REMARKS**

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. Status of the Claims and Explanation of Amendments

Claim 7 is pending, and has been rejected under U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,359,701 to Yamada et al. (“Yamada”) in view of U.S. Patent No. 6,067,101 to Arakawa et al. (“Arakawa”) and U.S. Patent No. 6,652,063 to Shimamura et al. (“Shimamura”).

By this paper, the preamble of claim 7 is amended to recite that the printing apparatus is equipped with a counting means having “a power abnormal flag inside said counting means”. Support for the amendment can be found throughout the application including, for example, “[a]pwer abnormal flag in the internal register of the timer is set” when a power abnormality ids detected. (Specification, p.13 line 27 to p.14, line 4). Accordingly, no new matter will be added, and entry of the amendment is requested.

B. Claims 7 is patentable over Yamada in view of Arakawa and Shimamura, because none of the references teaches, discloses or suggests “clearing the flag after said refreshing step” as recited in claim 7.

The rejection of claims 7 is respectfully traversed. As explained more fully below, the requirements for such rejections are not met. In particular, references cited by the examiner, whether taken alone or in combination, fails to teach, disclose or suggest all the limitations recited in claim 7.

Applicant’s claim 7, as amended, recites (Emphasis added):

7. A method of controlling a printing apparatus which needs to periodically execute maintenance operation after activation, said printing apparatus having counting means with a power abnormal flag inside said counting means, operated by power supplied from a battery, for counting time on the basis of an internal time, the method comprising:

    setting a flag in a register when a battery abnormality has occurred in said counting means;  
    determining whether the battery abnormality has occurred based on the status of the flag set in said flag setting step;  
    refreshing the internal time with a predetermined time when the battery abnormality has occurred based on the result from said determining step;  
    designating execution of a maintenance operation on the basis of the internal time;  
and  
    clearing the flag after said refreshing step.

According to the Office Action, Yamada discloses, *inter alia*, a step of “clearing the flag after the refreshing step” because Yamada discloses a hard power-off clears all the stored times and a hard power-on resets all the flags and variables. (06/13/2006 Office Action, p.3).

Applicant respectfully traverses the rejection in view of the amended claim 7, because Yamada did not teach or disclose to clear the specific flag in a register. Yamada is directed to a printer having a plurality of print heads is capable of printing text data with a first resolution and non-text data with a second resolution. According to Yamada, a printer is equipped with variables and event flags to synchronize tasks, including variables and flags for scheduling cleaning. (Yamada, col. 24, lines 45-46). Yamada teaches a printer including such flags as FlagRealTimeActive, FlagRealtimeReset, FlagRecordYet\_A, and FlagRecordYet\_B for head cleaning, the functions of which are specified in Table 5 (Yamada, col. 43, Table 5). With respect to a cleaning schedule, Yamada specifically teaches that following printing of the print job, a printer performs a hard power-off which clears all stored times and resets all flags and variables. (Yamada, col. 48, lines 12-14). The hard power-on is followed by a soft power-on,

which places a printer online and the host processor sends a print job which is prefaced with a UCT command providing the current time and date.

Applicant, upon reading Yamada as cited by the examiner, reasonably believes that, although the hard power-off clears all stored times and resets all flags and variables as specified by Yamada, it can not be read on to teach or suggest clearing the flag in a register specifically indicating a battery abnormality. It's clear from the specification that Yamada is completely silent about introducing a specific flag in a register to indicate the abnormality of power. Applicant's assertion can be evidenced by the Office Action, wherein the examiner wrote "Yamada et al. does not disclose expressly ... setting a flag in a register when an abnormality occurs in a battery" (06/13/2006 Office Action, p.3). Therefore, the words "all flags and variables" in Yamada shall be read to include all flags and variables **available** in Yamada. (Emphasis added). In other words, the abnormality battery flag in the register as specified in the application is not within the scope of "all flags and variables" in Yamada because it never exists in Yamada. Accordingly, Applicant hereby submits to read "all flags and variables" onto "all **available** flags and variables" in Yamada. Thus, Yamada fails to specifically teach, disclose or suggest "clearing the flag" after refreshing step as recited in claim 7.

Arakawa teaches, *inter alia*, a power source circuit for charging a chargeable battery including a charge function in a circuit for detecting a battery voltage of the battery. Although Arakawa teaches to detect a power source voltage and introduce a battery flag, it fails to disclose or suggest "clearing the flag" after refreshing internal timer with a predetermined time. Similarly, Shimamura is completely silent as to clear the battery abnormal flag. Therefore, neither Arakawa nor Shimamura is able to remedy what Yamada is lack, specifically, the step of clearing the battery abnormal flag.

Accordingly, as Applicant cannot find element “clearing the flag after said refreshing step” of claim 7 in references Yamada, Arakawa or Shimamura, claim 7, as amended, is respectfully asserted to be in condition for allowance.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art.